

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCP No.680 of 2015 (O&M)

Date of decision : 28.11.2018

HC Pritpal Singh and others

..Petitioners

versus

Sh.Jagpal Singh Sandhu and another

.. Respondents

Coram: Hon'ble Ms. Justice Nirmaljit Kaur

Present: Mr. Manu K. Bhandari, Advocate and
Mr. K.G. Chaudhry, Advocate, for the petitioners.
Ms. Sudeepti Sharma, Additional Advocate General, Punjab.
Mr. Anil Rana, Advocate for
Mr. Puneet Gupta, Advocate, for applicant/intervenor
in CM Nos.26010-12 of 2016 and
COCP No.680 of 2015.

Nirmaljit Kaur, J. (Oral)

This order shall dispose of two contempt petition bearing COCP Nos.680 of 2015 and 1164 of 2016, as common questions of law and facts are involved therein. However, the facts have been extracted from COCP No.680 of 2015.

The present contempt petition has been filed for non-compliance of order dated 5.11.2014, vide which the writ petition was disposed of with a direction to the respondents to decide the representation (Annexure P-11 therein) by passing a speaking order.

The matter was heard on various occasions. When the same was listed on 22.3.2017 before the coordinate Bench of this Court, another direction was issued to respondent No.2 to pass afresh speaking order after taking into consideration the representation filed by the petitioners.

In pursuance to the aforesaid, an affidavit of Suresh Arora, IPS, Director General of Police, Punjab dated 11.5.2017 was filed in Court stating therein that the matter was re-considered and decided by passing a

fresh speaking order dated 21.4.2017. Copy of the same has been annexed with the affidavit as Annexure R-5.

In view of the above, the order of this Court stands complied with.

Learned counsel for the petitioner vehemently argued that the order has only been passed by the Director General of Police, Punjab, whereas, it was also required to be passed by the State Government as well.

There is no such direction that the same has to be passed by the State Government, but nevertheless, it was pointed out by learned counsel for the State that the same was passed after taking into consideration the decision received from the State Government vide letter No.11/47/12-4H3/24 dated 5.1.2016, whereby the proposal of the office of the Director General of Police for framing service rule for Executive Clerical Staff was declined. Even otherwise, this Court cannot go behind the order, which is only for deciding the representation. The same having been done, no further order is required to be passed in the present contempt petitions. The same are accordingly dismissed.

However, if the petitioners are still aggrieved in any manner with the order dated 21.4.2017 (Annexure R-5), they are at liberty to challenge the same, in accordance with law.

The Rule issued to the respondents stand discharged.

(Nirmaljit Kaur)
Judge

28.11.2018
sharmila

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No